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SIPDIS

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TAGS: [PGOV](#) [PTER](#) [PREL](#) [EAID](#) [CE](#) [LTTE](#)

SUBJECT: SRI LANKA: GOVERNMENT WANTS BOTH CRACKDOWN ON LTTE AND CONTINUED PEACE PROCESS IN WAKE OF KADIRGAMAR ASSASSINATION

REF: (A) COLOMBO 1419 AND PREVIOUS (B) 04 COLOMBO 2002

Classified By: Charge' d'Affaires, a.i. James F. Entwistle for reasons 1.4 (d) and (e).

1. (C) Summary. The Sri Lankan government (GSL) wants the international community to crack down further on the Liberation Tigers of Tamil Eelam (LTTE) in the wake of the assassination of Foreign Minister Lakshman Kadirgamar but also insists somewhat contradictorily that it remains committed to the peace process with the LTTE. The highest priority for the Norwegian facilitators is to get both sides to meet for a discussion of cease-fire agreement (CFA) implementation. A co-chair statement a few days after Kadirgamar's funeral might be useful but it is not clear that there is anything new to say. In the context of tangible steps the international community can take to support the GSL, it is past time for a serious look at Tamil fundraising in the United States. End Summary

2. (C) Charge' attended an August 14 GSL diplomatic corps briefing on the situation in the wake of the August 12 assassination of Sri Lankan Foreign Minister Lakshman Kadirgamar. The government briefing panel consisted of Foreign Secretary HMGS Palihakkara, national police chief

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Chandra Fernando, GSL Peace Secretariat secretary general Jayantha Dhanapala and Finance Ministry Secretary P.B. Jayasundera (who said nothing

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throughout).

Strong Statements Appreciated

3. (C) Speaking first, Palihakkara thanked the diplomatic corps for the many strong statements issued by capitals condemning Kadirgamar's assassination. He said the GSL "will not give in" and needs the strongest support of the international community right now. Greater international law enforcement cooperation against the Liberation Tigers of Tamil Eelam (LTTE) is needed. He noted also that Kadirgamar's assassination underscored the need for the United Nations to finish its efforts to come up with an accepted international definition of terrorism as well as its efforts to move forward on proposals to take steps against "non-state actors."

4. (C) Palihakkara said the ongoing investigation would be painstaking and fair but that, "as of now," all indications and evidence (the type and sophisticated handling of the weapon, the meticulous planning) point clearly to the LTTE. "It has all the quintessential hallmarks of the LTTE," Palihakkara asserted. Moreover, the murder came in the wake of several months of information from domestic and foreign intelligence agencies that Kadirgamar had been under even greater threat than usual. Palihakkara scoffed at the LTTE denial of responsibility, noting that they had denied many of their attacks over the years (the assassinations of President Premadasa and Rajiv Gandhi and the attempted killing of President Kumaratunga, for example).

5. (C) Turning to the state of emergency, Palihakkara stressed that the GSL had only invoked a few of the powers at its disposal (given the weekend, the full text of the state of emergency declaration has not yet been "gazetted."). The primary purpose was to give the military arrest and detention powers in order to assist the police in their investigation. The Foreign Secretary said the emergency declaration would be submitted to Parliament for approval and reviewed from time to time with an eye towards

keeping it in effect no longer than necessary.

16. (C) Palihakkara concluded his remarks by noting that "the killers' clear intent was to jeopardize the peace process and to restart the conflict." The assassination of Kadirgamar is a "serious setback to the peace process," Palihakkara conceded but he then stated that he wished to "categorically reaffirm the status quo" regarding the GSL's commitment to the peace process and its willingness to sit down with the LTTE at any time to discuss ways to strengthen the cease-fire agreement (CFA). The government remains committed to a "peaceful and democratic solution. Minister Kadirgamar would want this, indeed this is what he sacrificed his life for."

Status of the Investigation

17. (C) Police chief Chandra Fernando next gave a brief overview of the investigation, starting with a discussion of the clear indications that serious surveillance was taking place against Kadirgamar's private residence. He confirmed that two men remain in custody for videotaping the house several weeks ago. Their "brand new" state of the art digital video camera contained dozens of pictures of the house and the surrounding area. Fernando said he had taken the photos from the camera and shown them to Kadirgamar in an effort to get the Foreign Minister to be even more cautious about security ("I even suggested he swim at the police pool instead of at home"). Kadirgamar had instructed him to brief the Swedish Embassy down the street (apparently there were a few photos of their chancery on the video camera) but had told Fernando he did not want to increase his security any further.

18. (C) Turning to the aftermath of the killing, Fernando said that a massive investigation is under way under his direction. He speculated that the arrest of the videotapers may have accelerated the timeline of the actual assassination. Fernando described the sophisticated nature of the assassination preparations and declared "ordinary criminals could not have done it." He cited the rifle type (according to him the same as was used in the LTTE assault on Katunayake airport in 2001) and the presence of cyanide in the upstairs room of a neighboring house that the sniper used as clear indications of LTTE responsibility. "The question is which individuals did this, not which group." Fernando also circulated photos of the crime scene including several of the tripod used by the sniper which included a bicycle seat welded to one of the legs to allow the shooter to sit near the top of the structure. Fernando promised to share more information about the investigation as it proceeds.

International Community Needs to Do More

19. (C) A visibly angry GSL Peace Secretariat Secretary General Jayantha Dhanapala concluded the

SIPDIS briefing with a call for the international community, especially the four co-chair countries, to "take action" against the LTTE. Dhanapala claimed that donors have, over the years, pushed the GSL to engage in "appeasement and constructive engagement" and cited LTTE trips to Europe and trips by diplomatic personnel to Kilinochchi as examples of soft behavior towards the LTTE. "It is time for sanctions, travel bans and to cut off money flows from the Tamil diaspora. We must suffocate and isolate the LTTE and cut off their oxygen." (In the question and answer session after the presentation, Charge' asked if the GSL, given that it saw Tamil diaspora money flows as part of the problem, was reconsidering the legal status of the LTTE-linked Tamil Rehabilitation (TRO) in Sri Lanka. "All options are being reviewed," Dhanapala replied.)

10. (C) Dhanapala then said it is imperative that the LTTE respond to the Sri Lanka Monitoring Mission (SLMM) proposal to meet with the GSL to review and strengthen the CFA, a proposal that the GSL had accepted with alacrity (Palihakkara commented "we would sit down with them tomorrow" if the LTTE agreed to the proposal). Noting that the "longtime LTTE strategy" is to commit acts in

the hope of provoking a "Sinhalese backlash," Dhanapala vowed that the GSL would adhere to the CFA because "public opinion clearly wants the CFA and the peace process to continue." Japanese Ambassador Suda asked Dhanapala to clarify the GSL's intention regarding the LTTE since it seemed he was saying that the Tigers needed to be engaged and bashed simultaneously. Dhanapala replied that the GSL would continue the CFA and continue to treat the LTTE in the "de-proscribed" manner started by the previous government but "all beyond that will be reviewed." Palihakkara interjected that the LTTE clearly responds to pressure, citing the example of recent UN criticism of the Tigers' child soldier recruitment which triggered an angry LTTE rebuttal. "They may respond negatively but they respond."

Co-Chairs Huddle to Review Limited Options

11. (C) Meeting after the GSL diplomatic briefing, Colombo co-chair representatives (Charge', British High Commissioner Evans, Norwegian Ambassador Brattskar, Japanese Ambassador Suda and EC Charge' Wilton) agreed that the GSL presentation had been heartfelt but somewhat schizophrenic in nature. As Brattskar put it, "they want to maintain the CFA without engaging the LTTE." Moreover, some of the activities the GSL had seized on in its briefing had largely become non-issues well before Kadirgamar's assassination (no interest in European capitals in receiving another LTTE roadshow, sharp decline in diplomatic visits to Kilinochchi in recent months) and been initiated for the express purpose of supporting the peace process in consultation with the GSL.

12. (C) Brattskar advised that he had spoken by phone to LTTE peace secretariat chief Pulidevan August 13 and told him that nobody accepted the LTTE denial of responsibility for the assassination. He advised Pulidevan that the LTTE needs to announce soon that it is willing to sit down and discuss the CFA with the GSL and it needs to take steps to ensure no escalation of violence. Brattskar said Pulidevan had reassured him of LTTE commitment to the CFA and the peace process. Brattskar commented that he was a bit jaundiced about the GSL's declared willingness to discuss the CFA with the LTTE since it was not clear to him that the GSL would be willing to stop its "obvious support" to the Karuna faction in the "dirty war" on the edges of the CFA in order to get the LTTE to the table. Nonetheless, Brattskar stated, Norway's highest priority as peace process facilitator is to get the two sides to the table for CFA discussions.

13. (C) Discussion then turned to what the co-chairs should do in the face of such a grim set of circumstances (and the GSL's stated desire to have the co-chairs "do more"). All agreed with Suda that it was difficult to envision what a co-chair statement issued shortly after Kadirgamar's funeral could usefully say beyond condemning the assassination. Brattskar noted that Norwegian Foreign Minister Petersen (arriving shortly with DFM Helgesen to represent Norway at Kadirgamar's funeral) would call on President Kumaratunga after the funeral and said Petersen would try to draw her out on what she thought a useful co-chair role might be. Brattskar said that discussion might crystallize things a bit and he undertook to try to arrange a co-chair meeting with Petersen before his departure (if his tight schedule permits). Brattskar also noted the Norwegians had concluded that they needed to insist on more frequent contact with Prabhakaran in their visits to Kilinochchi ("since we have no idea if he gets briefed on our discussions") and that they needed to make a greater effort to engage with the LTTE's Anton Balasingham in London (Petersen plans to see him on his way back to Oslo after the funeral) since "he's the only one who understands the outside world." Brattskar noted that Petersen and Helgesen would not travel to Kilinochchi during this visit. ("They are coming to mourn Lakshman; anything beyond that would be inappropriate.") Evans suggested, and the others agreed, that co-chair countries take a hard look at whether they could do more regarding LTTE and TRO fund raising in their respective countries. Suda advised that Japan remained willing to host a co-chairs meeting in October but suggested (to general agreement)

that it would perhaps make sense for the next meeting to take place in New York in September on the margins of UNGA.

Comment

14. (C) The contradictory line of simultaneously isolating and engaging the LTTE put to the diplomatic community by the GSL undoubtedly reflects divisions among GSL policymakers in the emotional aftermath of Kadirgamar's brutal murder. We suspect the GSL will shake its position out a bit more in the days ahead; Norwegian Foreign Minister Petersen's call on President Kumaratunga may be useful in this regard. In terms of co-chair next steps, a joint statement might be useful but it is difficult to see what could be said beyond condemnation of Kadirgamar's assassination and the usual calls for restraint and continuation of the peace process. Indeed, the co-chairs are increasingly in the position of being expected to issue public statements but then being derided for "only" making public statements. As we sort all this out, however, one thing is clear: it is more important than ever that the USG take the serious look at LTTE and TRO fundraising in the United States that we have been suggesting since late last year (Ref B).
ENTWISTLE